IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO. 1002 OF 1998

IN

SUMMARY SUIT NO. 2410 OF 1998

M/s. Kraftware (I) P. Ltd .....**Plffs.**
vs.
Raj Sons .....**Defnds.**

Saroj Sanjit for the plaintiffs.

Sanjay Gawde i/b. A.G.. Damle for the defendants.

CORAM: S.U. KAMDAR, J.

DATE : 29TH AUGUST, 2005.

P.C. :.

1. The present summons for judgment is taken out inrespect of the goods sold and delivered by the plaintiff to the defendant. The claim in the present suit is for Rs.1,42,937.44/-. The suit is based on the goods sold and delivered, invoices and lorry receipts. A notice was issued on 16.4.96 to

which there is no reply. Summons for judgment is served on the defendants. There is no reply though more than 7 years have passed. The plaintiff has tendered original compilation of documents which is taken on record and marked Ex.P.1 colly. In view thereof suit is decreed in terms of prayer clause (a) with the modification that the interest rate will be at the rate of 12% p.a. from the date of the suit till payment. In view of the decree of the suit, Summons for Judgment does not survive and the same is dismissed as infructious.

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